

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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JEREMY LEVIN and DR. LUCILLE LEVIN,

Plaintiffs,

v.

BANK OF NEW YORK, JPMORGAN CHASE, SOCIÉTÉ  
GÉNÉRALE and CITIBANK,

Defendants.  
----- X

No. 09 Civ. 5900 (RPP)

THE BANK OF NEW YORK MELLON,

Third-Party Plaintiff,

v.

ISLAMIC REPUBLIC OF IRAN ET AL.,

Third-Party Defendants.  
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**ANSWER OF CIMB BANK BERHAD TO THE BANK OF NEW YORK MELLON'S  
ADDITIONAL AMENDED AND SUPPLEMENTAL THIRD-PARTY COMPLAINT**

Third-Party Defendant CIMB Bank Berhad (“CIMB”), by and through its undersigned attorneys, states as its Answer to and in response to the Additional Amended and Supplemental Third-Party Complaint (the “Complaint”) filed by Third-Party Plaintiff The Bank of New York Mellon that CIMB makes no claim to and asserts no rights to or interest in any assets referenced in the Complaint and respectfully requests that the Court dismiss with prejudice the Complaint as to CIMB.

CIMB expressly reserves all rights to challenge the personal jurisdiction of this Court without assuming the burden of proof of such defenses. Without submitting to the personal jurisdiction of this Court, CIMB further responds as follows:

Nature of the Proceedings

1. Denies knowledge or information concerning the allegations set forth in Paragraph 1 of the Complaint.

2. Denies knowledge or information concerning the allegations set forth in Paragraph 2 of the Complaint.

3. Denies knowledge or information concerning the allegations set forth in Paragraph 3 of the Complaint.

The Third-Party Plaintiffs

4. Denies knowledge or information concerning the allegations set forth in Paragraph 4 of the Complaint.

The Third-Party Defendants

5. Denies knowledge or information concerning the allegations set forth in Paragraph 5 of the Complaint.

6. Denies knowledge or information concerning the allegations set forth in Paragraph 6 of the Complaint.

7. Denies knowledge or information concerning the allegations set forth in Paragraph 7 of the Complaint.

8. Denies knowledge or information concerning the allegations set forth in Paragraph 8 of the Complaint.

9. Denies knowledge or information concerning the allegations set forth in Paragraph 9 of the Complaint.

10. Denies knowledge or information concerning the allegations set forth in Paragraph 10 of the Complaint.

11. Denies knowledge or information concerning the allegations set forth in Paragraph 11 of the Complaint.

12. Denies knowledge or information concerning the allegations set forth in Paragraph 12 of the Complaint.

13. Denies knowledge or information concerning the allegations set forth in Paragraph 13 of the Complaint.

14. Denies knowledge or information concerning the allegations set forth in Paragraph 14 of the Complaint.

15. Denies knowledge or information concerning the allegations set forth in Paragraph 15 of the Complaint.

16. Denies knowledge or information concerning the allegations set forth in Paragraph 16 of the Complaint.

17. Denies knowledge or information concerning the allegations set forth in Paragraph 17 of the Complaint.

18. Denies knowledge or information concerning the allegations set forth in Paragraph 18 of the Complaint.

19. Denies knowledge or information concerning the allegations set forth in Paragraph 19 of the Complaint.

20. Denies knowledge or information concerning the allegations set forth in Paragraph 20 of the Complaint.

21. Denies knowledge or information concerning the allegations set forth in Paragraph 21 of the Complaint.

22. Denies knowledge or information concerning the allegations set forth in Paragraph 22 of the Complaint.

23. Denies knowledge or information concerning the allegations set forth in Paragraph 23 of the Complaint.

24. Denies knowledge or information concerning the allegations set forth in Paragraph 24 of the Complaint.

25. Denies knowledge or information concerning the allegations set forth in Paragraph 25 of the Complaint.

26. Denies knowledge or information concerning the allegations set forth in Paragraph 26 of the Complaint.

27. Denies knowledge or information concerning the allegations set forth in Paragraph 27 of the Complaint.

28. Denies knowledge or information concerning the allegations set forth in Paragraph 28 of the Complaint.

29. Denies knowledge or information concerning the allegations set forth in Paragraph 29 of the Complaint.

30. Denies knowledge or information concerning the allegations set forth in Paragraph 30 of the Complaint.

31. Denies knowledge or information concerning the allegations set forth in Paragraph 31 of the Complaint.

32. Denies knowledge or information concerning the allegations set forth in Paragraph 32 of the Complaint.

33. Denies knowledge or information concerning the allegations set forth in Paragraph 33 of the Complaint.

34. Denies knowledge or information concerning the allegations set forth in Paragraph 34 of the Complaint.

35. Denies knowledge or information concerning the allegations set forth in Paragraph 35 of the Complaint.

36. Denies knowledge or information concerning the allegations set forth in Paragraph 36 of the Complaint.

37. Denies knowledge or information concerning the allegations set forth in Paragraph 37 of the Complaint.

38. Denies knowledge or information concerning the allegations set forth in Paragraph 38 of the Complaint.

39. Denies knowledge or information concerning the allegations set forth in Paragraph 39 of the Complaint.

40. Denies knowledge or information concerning the allegations set forth in Paragraph 40 of the Complaint.

41. Denies knowledge or information concerning the allegations set forth in Paragraph 41 of the Complaint.

42. Denies knowledge or information concerning the allegations set forth in Paragraph 42 of the Complaint.

43. Denies knowledge or information concerning the allegations set forth in Paragraph 43 of the Complaint.

44. Denies knowledge or information concerning the allegations set forth in Paragraph 44 of the Complaint.

45. Denies knowledge or information concerning the allegations set forth in Paragraph 45 of the Complaint.

46. Denies knowledge or information concerning the allegations set forth in Paragraph 46 of the Complaint.

47. Denies knowledge or information concerning the allegations set forth in Paragraph 47 of the Complaint.

48. Denies knowledge or information concerning the allegations set forth in Paragraph 48 of the Complaint.

49. Denies knowledge or information concerning the allegations set forth in Paragraph 49 of the Complaint.

50. Denies knowledge or information concerning the allegations set forth in Paragraph 50 of the Complaint.

51. Denies knowledge or information concerning the allegations set forth in Paragraph 51 of the Complaint.

52. Denies knowledge or information concerning the allegations set forth in Paragraph 52 of the Complaint.

53. Denies knowledge or information concerning the allegations set forth in Paragraph 53 of the Complaint.

54. Denies knowledge or information concerning the allegations set forth in Paragraph 54 of the Complaint.

55. Admitted.

56. Denies knowledge or information concerning the allegations set forth in Paragraph 56 of the Complaint.

57. Denies knowledge or information concerning the allegations set forth in Paragraph 57 of the Complaint.

58. Denies knowledge or information concerning the allegations set forth in Paragraph 58 of the Complaint.

59. Denies knowledge or information concerning the allegations set forth in Paragraph 59 of the Complaint.

60. Denies knowledge or information concerning the allegations set forth in Paragraph 60 of the Complaint.

61. Denies knowledge or information concerning the allegations set forth in Paragraph 61 of the Complaint.

62. Denies knowledge or information concerning the allegations set forth in Paragraph 62 of the Complaint.

63. Denies knowledge or information concerning the allegations set forth in Paragraph 63 of the Complaint.

64. Denies knowledge or information concerning the allegations set forth in Paragraph 64 of the Complaint.

65. Denies knowledge or information concerning the allegations set forth in Paragraph 65 of the Complaint.

66. Denies knowledge or information concerning the allegations set forth in Paragraph 66 of the Complaint.

67. Denies knowledge or information concerning the allegations set forth in Paragraph 67 of the Complaint.

68. Denies knowledge or information concerning the allegations set forth in Paragraph 68 of the Complaint.

69. Denies knowledge or information concerning the allegations set forth in Paragraph 69 of the Complaint.

70. Denies knowledge or information concerning the allegations set forth in Paragraph 70 of the Complaint.

71. Denies knowledge or information concerning the allegations set forth in Paragraph 71 of the Complaint.

#### Jurisdiction and Venue

72. States that Paragraph 72 of the Complaint states a legal conclusion to which no answer is necessary or appropriate, and otherwise denies knowledge or information concerning the remainder of the allegations set forth therein.

73. States that Paragraph 73 of the Complaint states a legal conclusion to which no answer is necessary or appropriate, and otherwise denies knowledge or information concerning the remainder of the allegations set forth therein.

#### Factual Background

74. Denies knowledge or information concerning the allegations set forth in Paragraph 74 of the Complaint.

75. Denies knowledge or information concerning the allegations set forth in Paragraph 75 of the Complaint.

76. Denies knowledge or information concerning the allegations set forth in Paragraph 76 of the Complaint.

77. Denies knowledge or information concerning the allegations set forth in Paragraph 77 of the Complaint.

78. Denies knowledge or information concerning the allegations set forth in Paragraph 78 of the Complaint.

79. Denies knowledge or information concerning the allegations set forth in Paragraph 79 of the Complaint.

80. Denies knowledge or information concerning the allegations set forth in Paragraph 80 of the Complaint.

81. Denies knowledge or information concerning the allegations set forth in Paragraph 81 of the Complaint.

82. Denies knowledge or information concerning the allegations set forth in Paragraph 82 of the Complaint.

83. Denies knowledge or information concerning the allegations set forth in Paragraph 83 of the Complaint.

84. Denies knowledge or information concerning the allegations set forth in Paragraph 84 of the Complaint.

85. Denies knowledge or information concerning the allegations set forth in Paragraph 85 of the Complaint.

86. Denies knowledge or information concerning the allegations set forth in Paragraph 86 of the Complaint.

87. Denies knowledge or information concerning the allegations set forth in Paragraph 87 of the Complaint.

88. Denies knowledge or information concerning the allegations set forth in Paragraph 88 of the Complaint.

89. Denies knowledge or information concerning the allegations set forth in Paragraph 89 of the Complaint.

90. Denies knowledge or information concerning the allegations set forth in Paragraph 90 of the Complaint.

91. Denies knowledge or information concerning the allegations set forth in Paragraph 91 of the Complaint.

92. Denies knowledge or information concerning the allegations set forth in Paragraph 92 of the Complaint.

93. Denies knowledge or information concerning the allegations set forth in Paragraph 93 of the Complaint.

94. Denies knowledge or information concerning the allegations set forth in Paragraph 94 of the Complaint.

95. Denies knowledge or information concerning the allegations set forth in Paragraph 95 of the Complaint.

96. Denies knowledge or information concerning the allegations set forth in Paragraph 96 of the Complaint.

97. Denies knowledge or information concerning the allegations set forth in Paragraph 97 of the Complaint.

98. Denies knowledge or information concerning the allegations set forth in Paragraph 98 of the Complaint.

99. Denies knowledge or information concerning the allegations set forth in Paragraph 99 of the Complaint.

100. Denies knowledge or information concerning the allegations set forth in Paragraph 100 of the Complaint.

101. Denies knowledge or information concerning the allegations set forth in Paragraph 101 of the Complaint, but states that CIMB makes no claim to and asserts no rights to or interest in any assets referenced in the Complaint.

102. Denies knowledge or information concerning the allegations set forth in Paragraph 102 of the Complaint, but states that CIMB makes no claim to and asserts no rights to or interest in any assets referenced in the Complaint.

103. Denies knowledge or information concerning the allegations set forth in Paragraph 103 of the Complaint, but states that CIMB makes no claim to and asserts no rights to or interest in any assets referenced in the Complaint.

First Claim for Relief

104. CIMB repeats and realleges each of its responses set forth above as if fully set forth herein.

105. States that Paragraph 105 of the Complaint states a legal conclusion to which no answer is necessary or appropriate and refers to C.P.L.R. § 5239 for a complete and accurate recitation of its terms and contents.

106. Denies knowledge or information concerning the allegations set forth in Paragraph 106 of the Complaint. To the extent Paragraph 106 states a legal conclusion, no answer is necessary or appropriate.

Second Claim for Relief

107. CIMB repeats and realleges each of its responses set forth above as if fully set forth herein.

108. Denies knowledge or information concerning the allegations set forth in Paragraph 108 of the Complaint, but states that CIMB makes no claim to and asserts no rights to or interest in any assets referenced in the Complaint.

109. Denies knowledge or information concerning the allegations set forth in Paragraph 109 of the Complaint. To the extent Paragraph 109 states a legal conclusion, no answer is necessary or appropriate.

110. Denies knowledge or information concerning the allegations set forth in Paragraph 110 of the Complaint. To the extent Paragraph 110 states a legal conclusion, no answer is necessary or appropriate.

Third Claim for Relief

111. CIMB repeats and realleges each of its responses set forth above as if fully set forth herein.

112. Denies knowledge or information concerning the allegations set forth in Paragraph 112 of the Complaint. To the extent Paragraph 112 states a legal conclusion, no answer is necessary or appropriate.

The remainder of the Complaint is a prayer for relief to which no response is required. To the extent an answer is deemed required, the prayer for relief is denied in its entirety. All other allegations of the Complaint that are not specifically admitted are denied. CIMB expressly reserves the right to amend and/or supplement this Answer.

**AFFIRMATIVE DEFENSES**

CIMB asserts the following affirmative defenses. CIMB states the following defenses without assuming the burden of proof of such defenses or conceding that any parties to the action have any claims or rights as to CIMB. CIMB further reserves the right to assert other affirmative defenses as discovery proceeds.

**First Defense**

The Court does not have personal jurisdiction over CIMB.

Dated: New York, New York  
December 21, 2011

ALLEN & OVERY LLP

By: /s/ Jacob S. Pultman

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